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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 MAPLE LEAF ADVENTURES  
11 CORPORATION,

12 Petitioner,

13 v.

14 JET TERN MARINE CO., LTD,

15 Respondent.

Case No. C18-1321 RSM

ORDER DENYING MOTION FOR  
CLERK'S SERVICE ON FOREIGN  
INDIVIDUAL

16 This matter comes before the Court on Petitioner Maple Leaf Adventures Corporation's  
17 "Request for Clerk's Service on Foreign Individual." Dkt. #11. This filing was not noted as a  
18 Motion, but the Court interprets it as one, and will consider the requested relief now.

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20 Petitioner began this action with a Petition for Confirmation and Judgment on Foreign  
21 Arbitration Award on September 7, 2018. Dkt. #1. Respondent Jet Tern Marine Company has  
22 not appeared. Petitioner states that Respondent is a Taiwanese company that may control or  
23 maintain assets in this District. *Id.* at 1–2. Investigation into those assets is ongoing.  
24 Apparently, an arbitration award was entered between the parties, but Respondent is appealing  
25 that award in the court system of Norway. *Id.* at 2. Because of the possibility of appeal in  
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1 Norway, and because of continued investigations into the assets of Respondent, Petitioner has  
2 not yet served Respondent. *Id.*

3 As the Court has stated previously, it seems that the parties had counsel for arbitration  
4 and have corresponded previously. Service should have been made as soon as this case was  
5 filed. The Court previously gave Petitioner a deadline of January 16, 2019, to serve  
6 Respondent. Dkt. #6.

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8 Petitioner now seeks to serve Respondent by the manner prescribed in Rule  
9 4(f)(2)(C)(ii), “using any form of mail that the clerk addresses and sends to the individual and  
10 that requires a signed receipt.” Dkt. #11 at 2. Petitioner provides the Clerk with three addresses  
11 for Respondent—two in mainland China and one in Taiwan. *Id.* at 3.

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13 Petitioner does not address the remainder of Rule 4(f)’s requirements. For example,  
14 Petitioner does not establish whether China or Taiwan are signatories to “any internationally  
15 agreed means of service that is reasonably calculated to give notice, such as those authorized by  
16 the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents.” Fed.  
17 R. Civ. P. 4(f). It is the Court’s understanding that China is a signatory to the Hague  
18 Convention and does not permit service by mail. Service by mail may be possible on a  
19 company located in Taiwan, however the Court has not been presented with any analysis by  
20 Petitioner as to this question, *e.g.* whether such is permissible under the foreign country’s law.  
21 *See id.* Before the Court permits the Clerk to send out service by Mail to Respondent, Petitioner  
22 must answer these questions in a subsequent Motion. Alternatively, Petitioner is free to pursue  
23 service as otherwise permitted in Rule 4(f).

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26 Having reviewed the relevant briefing and the record, the Court hereby finds and  
27 ORDERS that Petitioner’s Motion for Clerk’s Service on Foreign Individual (Dkt. #11) is  
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1 DENIED. The Court will grant Petitioner additional time to serve. Petitioner must initiate the  
2 process of serving Respondent no later than **fourteen (14) days** from the date of this Order.  
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4 DATED this 10<sup>th</sup> day of January 2019.  
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8 RICARDO S. MARTINEZ  
9 CHIEF UNITED STATES DISTRICT JUDGE  
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